

The Honorable John H. Chun

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

AMAZON.COM, INC.,

Defendant.

No. 2:23-cv-0932-JHC

**DECLARATION OF LAURA
FLAHIVE WU IN SUPPORT OF
AMAZON.COM, INC.'S
OPPOSITION TO PLAINTIFF'S
MOTION TO DESEQUESTER
DOCUMENTS CLAWED BACK
BY DEFENDANT**

I, Laura Flahive Wu, hereby state that I have personal knowledge of the facts set forth below. If called as witness, I could and would testify as follows:

1. I am a United States citizen and am over eighteen years of age. I am a partner in the law firm of Covington & Burling LLP and one of Amazon.com, Inc.'s counsel. My office address is 850 10th Street NW, Washington, DC 20001.

2. Attached as Exhibit 1 to this declaration is a true and correct copy of the Omnibus Petition to Quash or Limit Civil Investigative Demands filed In the Matter of Civil Investigative Demands dated June 30, 2022 to Amazon.com, Inc. and certain current and former Amazon employees, File No. 2123050.

3. Attached as Exhibit 2 to this declaration is a true and correct copy of a letter from counsel for Amazon to counsel for the FTC dated November 3, 2022.

4. Attached as Exhibit 3 to this declaration is a true and correct copy of the excerpted transcript of the November 16, 2022 investigational hearing of Jamil Ghani.

DECLARATION OF LAURA FLAHIVE WU IN SUPPORT OF
AMAZON.COM, INC.'S OPPOSITION TO PLAINTIFF'S MOTION
TO DESEQUESTER DOCUMENTS CLAWED BACK BY DEFENDANT
(2:23-cv-0932-JHC) - 1

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LAW OFFICES
920 Fifth Avenue, Suite 3300
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5. Attached as Exhibit 4 to this declaration is a true and correct copy of the Order Granting in Part and Denying in Part Omnibus Petition to Limit or Quash Civil Investigative Demands In the Matter of Civil Investigative Demands dated June 30, 2022 to Amazon.com, Inc. and certain current and former Amazon employees, File No. 2123050.

6. Attached as Exhibit 5 to this declaration is a true and correct copy of the excerpted transcript of the October 21, 2022 investigational hearing of Neil Lindsay.

7. Attached as Exhibit 6 to this declaration is a true and correct copy of the excerpted transcript of the February 21, 2023 video conference between counsel for Amazon and counsel for the FTC.

8. Attached as Exhibit 7 to this declaration is a true and correct copy of an email chain between counsel for Amazon and counsel for the FTC with the last email in the chain dated May 5, 2023.

9. Attached as Exhibit 8 to this declaration is a true and correct copy of a letter from counsel for the FTC to counsel for Amazon dated July 5, 2023

10. Attached as Exhibit 9 to this declaration is a true and correct copy of an email chain between counsel for Amazon and counsel for the FTC with the last email in the chain dated June 28, 2023.

11. On June 9, 2023, counsel for the FTC sent a letter to counsel for Amazon. One paragraph of the letter raised Amazon's clawback of privileged documents. The letter did not identify the specific privilege claims it was challenging or suggest specific relief that the FTC was seeking. The letter further stated that the FTC was "not requesting a meeting at this time[.]"

1 I declare under penalty of perjury that the foregoing is true and correct to the best of my
2 knowledge.

3 Executed on July 24, 2023 at Washington, D.C.

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